

AN ORDINANCE 2006-06-29-0809

**AUTHORIZING AN AMENDMENT TO THE SAN ANTONIO INTERNATIONAL AIRPORT ADVERTISING CONCESSION AGREEMENT WITH CLEAR CHANNEL OUTDOOR, INC. F/K/A ELLER MEDIA COMPANY, TO EXTEND THE TERM FROM AUGUST 31, 2006 TO FEBRUARY 28, 2007, AND MONTH TO MONTH THEREAFTER FOR A PERIOD NOT TO EXCEED AN ADDITIONAL SIX MONTHS, UNDER THE SAME TERMS AND CONDITIONS AS THE CURRENT AGREEMENT.**

\* \* \* \* \*

**WHEREAS**, in June of 2001, the City entered into a San Antonio International Advertising Concession Agreement ("Original Agreement") with Eller Media Company, now known as Clear Channel Outdoor, Inc., for provision of Advertising Services at the San Antonio International Airport, as authorized and approved by Ordinance No. 94019 on May 31, 2001; and

**WHEREAS**, Airport staff, in conjunction with the Airport's concession manager, Unison Maximus, and in coordination with the Convention Center Staff, is in the process of developing the Request for Proposals ("RFP") for the selection of an advertising firm for a new contract period; and

**WHEREAS**, the Original Agreement expires by its terms on August 31, 2006 and Concessionaire has agreed to continue to provide services for an additional six months, pending completion of the ongoing RFP Process; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Manager or her designee is authorized to execute the San Antonio International Advertising Concession Agreement Amendment, which is attached hereto as Attachment 1, extending the term of the Original Agreement as described therein.

**SECTION 2.** The proceeds of this Advertising Concession Agreement Amendment will be deposited into SAP Fund No. 51001000, entitled "Airport Operations" Internal Order 2330000000081, entitled "Multiterminal Advertising" and General Ledger Account 4405923 entitled "Aviation Concession Services"

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 4.** This Ordinance shall be effective on or after the tenth (10th) day after passage.

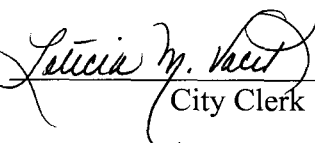
**PASSED AND APPROVED** this 29th day of June, 2006.



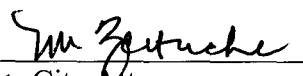
**M A Y O R**

**PHIL HARDBERGER**

**ATTEST:**

  
\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**

  
for \_\_\_\_\_  
City Attorney

## **ATTACHMENT 1**

**AMENDMENT OF SAN ANTONIO INTERNATIONAL AIRPORT  
ADVERTISING CONCESSION AGREEMENT**

This Amendment of the San Antonio International Advertising Concession Agreement ("Amendment"), is entered into this the \_\_\_\_ day of \_\_\_\_\_, 2006, by and between the City of San Antonio, a Texas Municipal Corporation ("City"), acting by and through its City Manager, pursuant to Ordinance No. \_\_\_\_\_ passed and approved by the City Council on \_\_\_\_\_, 2006, and **CLEAR CHANNEL OUTDOOR, INC. F/K/A ELLER MEDIA COMPANY**, acting by and through its duly authorized corporate representative, as set out below. ("Concessionaire").  
**WITNESSETH:**

**WHEREAS**, a San Antonio International Advertising Concession Agreement (hereinafter called the "Original Agreement") for provision of Advertising Services at the San Antonio International Airport, authorized and approved by Ordinance No. 94019 on May 31, 2001, was entered into with on September 27, 1999 with Eller Media Company, now known as Clear Channel Outdoor, Inc.; and

**WHEREAS**, there has been a procedural delay in the selection process and City of San Antonio in order to assure seamless service to the traveling public, and in consideration of Concessionaire's planning needs, desires to extend the Contract for a specified period; and

**WHEREAS**, the Original Agreement expires by its terms on August 31, 2006, and Concessionaire has agreed to continue to provide services for an additional six months, pending completion of the ongoing solicitation of proposals; **NOW THEREFORE:**

In consideration of the terms, covenants, agreements and demises herein contained, and in consideration of other good and valuable consideration, each to the other given, the sufficiency and receipt of which are hereby acknowledged, the Original Agreement entered into by and between the City and Manager is amended as follows:

1.0 The term of the Original Agreement shall be extended for a period of six (6) months beginning on the first day of September, 2006 and continuing until February 28, 2007. It is agreed and understood that in the event of a continued interim need for provision of Advertising Services by Concessionaire, after expiration of this initial six month extension, the term of the agreement shall continue to be extended, on a month to month basis, for no more than an additional six months, until terminated at the discretion of the City. Concessionaire agrees, in the event of such interim continuation of service, to pay the City in accordance with the terms in effect at the execution of this Extension.

2.0 Except as amended hereby, all other provisions of the Original Agreement are hereby retained in their entirety and remain unchanged.

**EXECUTED and AGREED** this \_\_\_\_ day of \_\_\_\_\_, 2006.

ATTEST:

**CITY OF SAN ANTONIO, TEXAS**

\_\_\_\_\_  
\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Sheryl Sculley, City Manager

APPROVED AS TO FORM:

**CLEAR CHANNEL OUTDOOR, INC**

By: \_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Federal Tax Identification #: \_\_\_\_\_